

Laidlaw Research and Leadership Programme

**Where are they leading to?
Regularization Pathways for Venezuelan
Migrants in Colombia, Ecuador, and Peru.**

Daniel Corredor Llorente
Principal Investigator

Dr. Claudia Díaz Ríos
Supervisor

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Introduction

This study comparatively analyzes the origin and evolution of regularization programs for Venezuelan migrants in Colombia, Ecuador, and Peru, the top three receiving countries. Since 2015, more than 6.8 million Venezuelans have fled their nation's economic, social, and political debacle.¹ The exodus accelerated significantly as the crisis worsened in 2017, forcing the three studied countries to devise and implement regularization programs with mixed success.

Regularization is widely viewed as the cornerstone of the socioeconomic development of receiving countries and immigrant communities.² For immigrants, regularization opens the door to the formal labor market and enhances access to public goods and services, such as education and health care. For receiving countries, regularization translates into human capital, lower labor informality, higher aggregate demand in the economy, and citizens who pay taxes and contribute to the social welfare system.³

Despite the benefits of regularization programs, the lack of previous large-scale immigrations flows and pre-existing regularization policies have led Colombia, Ecuador, and Peru to rely on ad-hoc, temporary, and short-sighted schemes to register and grant millions of Venezuelans legal status.⁴ As explained by this comparative analysis, the design and implementation of these programs have been tardy, patchy, and insufficient.

The relative failure of Colombian, Ecuadorian, and Peruvian authorities to offer generous and long-term regularization pathways to Venezuelan immigrants was to some degree warranted. As a senior policymaker from one of these nations confessed, “no one thought it would last this long.”⁵ Between 2015 and 2017, authorities in receiving countries exclusively focused on providing humanitarian assistance to incoming Venezuelans, assuming they would eventually return to their country of origin. As the Venezuelan political and economic crisis worsened, the exodus of Venezuelans only accelerated and,

¹ “Venezuela situation,” UNHCR, accessed May 9, 2022, <https://www.unhcr.org/venezuela-emergency.html>.

² Sergio Bueno Aguirre, La inclusión de personas refugiadas y migrantes en la respuesta al COVID-19: Medidas socioeconómicas de Argentina, Brasil, Chile, Colombia, Ecuador, México, Panamá, Perú y República Dominicana (R4V, 2021), 16, <https://www.r4v.info/es/document/la-inclusion-de-personas-refugiadas-y-migrantes-en-la-respuesta-al-covid-19-medidas>.

³ Diego Chaves-González, Jordi Amaral and María Jesús Mora, The Socioeconomic Integration of Venezuelan Migrants and Refugees (MPI & IOM, 2021), 9, https://www.iom.int/sites/g/files/tmzbdl486/files/press_release/file/mpi-iom_socioeconomic-integration-venezuelans_2021_final.pdf.

⁴ Diego Chaves-González, Jordi Amaral and María Jesús Mora, The Socioeconomic Integration of Venezuelan Migrants and Refugees (MPI & IOM, 2021), 2, https://www.iom.int/sites/g/files/tmzbdl486/files/press_release/file/mpi-iom_socioeconomic-integration-venezuelans_2021_final.pdf.

⁵ Felipe Muñoz, “Programas de regularización y facilidades administrativas para refugiados y migrantes de Venezuela,” R4V, June 8, 2022, video, 28:45, <https://www.youtube.com/watch?v=Gav-PNT-LMw>.

coupled with a growing intention to settle down elsewhere, forced receiving countries to shift their response towards regularization.⁶

Irregularity rates remain relatively high across the studied countries. The predominant absence of legal status stems from the countless legal, financial, and administrative barriers to entering and remaining regularly in Colombia, Ecuador, and Peru. Governments have imposed stringent entry requirements for Venezuelans, such as valid passports and so-called humanitarian visas; securing both documents has been unaffordable for the most vulnerable and administratively burdensome, forcing hundreds of thousands of migrants to resort to irregular channels. The COVID-19 pandemic prompted prolonged border closures, which also accelerated irregular entries. To regularize immigrants, authorities have set arbitrary cut-off dates, short application windows, and sometimes the prerequisite to have entered the national territory regularly via an immigration control post. Regularization programs, for all the paperwork they entail, have also been costly and extremely time-consuming.

State capacity constraints and politically-profitable xenophobia have created a regularization dilemma still to be resolved in the region. Meanwhile, millions of Venezuelans face immense uncertainty as their legal status in Colombia, Ecuador, and Peru is at the discretion of the executive and the shifting public opinion waves. Their only certainty is that their stay in these receiving countries is only temporary since no regularization program guarantees them permanent residency.

After comparing the benefits and drawbacks of each country's regularization pathways since 2015, the study concludes by drawing recommendations for where regularization pathways should lead to.

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I am grateful to the Laidlaw Foundation and the University of Toronto for believing in a much-needed research that sheds a light on one of Latin America's most pressing issues. May it serve as a force for good and set forth a case for prompt, generous, and long-term regularization pathways for Venezuelans in our hemisphere.

⁶ Diego Chaves-González, Jordi Amaral and María Jesús Mora, The Socioeconomic Integration of Venezuelan Migrants and Refugees (MPI & IOM, 2021), 4, https://www.iom.int/sites/g/files/tmzbdl486/files/press_release/file/mpi-iom_socioeconomic-integration-venezuelans_2021_final.pdf.



Colombia



2.480.000 Venezuelans reside in Colombia (R4V, August 2022)



980.000 Colombians have returned from Venezuela (Migración Colombia, 2022)



4 major regularization programs have been implemented since 2015



65% of Venezuelans have been regularized (Migración Colombia, July 2022)

Context

Colombia, like Ecuador and Peru, has historically been an origin country. Between the 1970s and the 2000s, millions of Colombians emigrated to various countries in pursuit of better opportunities.⁷ Colombia only became a receiving country with the unprecedented arrival of Venezuelan migrants and refugees over the last seven years. Ecuador and Peru, while still widely considered origin countries, did have comparatively more exposure to immigration flows when they welcomed, almost paradoxically, dozens of thousands of Colombians in the past decades.

Colombia's historical lack of exposure to immigrants explains why the country's constitution, unlike others in Latin America, does not mention the right to emigrate or immigrate, the right to seek and receive asylum, or even the administrative procedures to address irregular entries or stays.⁸ Colombia, therefore, suffers from chronic constitutional silence on migration governance.

⁷ International Organization for Migration, *Indicadores de Gobernanza de la Migración a Nivel Local Perfil 2021 – Municipio de Villa del Rosario* (IOM: Geneva, 2021), 12, <https://publications.iom.int/books/indicadores-de-gobernanza-de-la-migracion-nivel-local-perfil-2021-municipio-de-villa-del>.

⁸ Jaime Esponda, *Constituciones Políticas y Migraciones en América Latina* (IOM: Santiago de Chile, 2021), 32, <https://publications.iom.int/books/cuadernos-migratorios-ndeg-12-constituciones-politicas-y-migraciones-en-america-latina>.

Ad-Hoc Regularization Programs

Given Colombia's historically nonexistent migration governance, authorities have had to rely on extraordinary, ad-hoc measures to cope with the unprecedented arrival—in scale and pace—of Venezuelans. Since 2015, Colombian authorities have rolled out four major regularization programs. These programs have repealed and replaced each other over time, a fact that, to some extent, reflects the unpreparedness and improvisation of Colombian authorities.

August
2016

1 Entry and Permanence Permit (PIP)

Among the three studied countries, Colombia was the first to introduce a regularization program known as the *Permiso de Ingreso y Permanencia* (**PIP**). While Peru launched its first regularization scheme in July 2017 and Ecuador in July 2019, Colombia did so in August 2016. Colombia's comparative rapidness in devising and implementing a regularization program can be explained by its proximity to Venezuela. With a shared border spanning 2,200 kilometres, Colombia inevitably became an immediate destination for Venezuelans escaping their country's debacle.

To keep track of Venezuelans entering the country and prevent them from staying indefinitely, authorities at border control posts began issuing free-of-charge passport stamps that specified the maximum number of days that a given Venezuelan would be allowed to remain regularly in Colombia; that stamp became known as the **PIP**.

There were 10 types of **PIP** permits, each one of which corresponded to a particular activity to be pursued legally and temporarily in Colombia. In terms of permitted stay, **PIPs 1-6** were valid for 90 days; **PIP-7** 30 days; **PIPs 8-9** 10 days; and **PIP-10** for the duration of the holiday trip.⁹ Venezuelans in transit through Colombia received a **PIP-TT**.

2 Temporary Residence Permit (PTP)

The *Permiso Temporal de Permanencia* (**PTP**) was created preemptively and anticipating that thousands of Venezuelans would overstay their **PIP** permits. Under no circumstance did any **PIP** or **PTP** exceed a stay of half a year.¹⁰

⁹ Ministerio de Relaciones Exteriores, "Resolución 1220 de 2016" (Bogotá, 2016), https://www.cancilleria.gov.co/sites/default/files/Normograma/docs/resolucion_uaecm_1220_2016.htm#:~:text=%2D%2D%20Permiso%20de%20Ingreso%20y,establecerse%20o%20domiciliarse%20en%20C3%A9I.

¹⁰ Ministerio de Relaciones Exteriores, "Resolución 1220 de 2016" (Bogotá, 2016), https://www.cancilleria.gov.co/sites/default/files/Normograma/docs/resolucion_uaecm_1220_2016.htm#:~:text=%2D%2D%20Permiso%20de%20Ingreso%20y,establecerse%20o%20domiciliarse%20en%20C3%A9I.

October
2019

While **PIPs** and **PTPs** were an effective first response to the unprecedented influx of Venezuelans, they did not provide any regularization pathway for Venezuelans intending to settle down in Colombia as the Venezuelan crisis worsened over time.

Both the **PIPs** and **PTPs** were repealed in October 2019 when the **PEP** replaced them.¹¹

July
2017

3 Special Permanence Permit (PEP)

In July 2017, as it became increasingly apparent to authorities that most Venezuelan immigrants intended to stay in Colombia, the national authorities launched the *Permiso Especial de Permanencia (PEP)*.¹² This became Colombia's third regularization program at a time when Peru was implementing its first scheme and still two years before Ecuador would roll out its own.

To respond to the growing demand for a legal status that would exceed the six-month maximum stay of **PIPs** and **PTPs**, the **PEP** provided holders with a maximum stay of two years (assuming eight three-month renewals). While free of charge, the **PEP** determined that only Venezuelans who had entered Colombia before February 2018, via a regular post, were eligible to receive this permit.¹³

Unlike the **PIP** and the **PTP**, the **PEP** was the first regularization permit that entitled holders to a wide range of public goods and services, such as education, health care, and employment. The **PEP** was Colombia's first legal status that allowed Venezuelans to stay regularly and integrate themselves. Since regularization is a prerequisite for long-term socioeconomic integration, the **PEP** was Colombia's first mechanism to fulfill that role.

As the Venezuelan crisis worsened throughout 2017, hundreds of thousands of desperate Venezuelans were left with no option but to flee their country at any cost and by all means. With limited financial resources and expired documentation, most of them had to resort to irregular channels to emigrate. As such, the number of irregular Venezuelans in Colombia, Ecuador, and Peru increased exponentially.

The prevalence of irregular Venezuelans forced Colombian authorities to revise the **PEP**'s eligibility requirements to prevent rendering hundreds of thousands of

¹¹ Ministerio de Relaciones Exteriores, "Resolución 3167 de 2019" (Bogotá, 2019), https://www.cancilleria.gov.co/sites/default/files/Normograma/docs/resolucion_uaemc_3167_2019.htm.

¹² Diego Chaves-González, Jordi Amaral and María Jesús Mora, The Socioeconomic Integration of Venezuelan Migrants and Refugees (MPI & IOM, 2021), 10, https://www.iom.int/sites/g/files/tmzbdl486/files/press_release/file/mpi-iom_socioeconomic-integration-venezuelans_2021_final.pdf.

¹³ Ministerio de Relaciones Exteriores, "Resolución 740 de 2018" (Bogotá, 2018), https://www.cancilleria.gov.co/sites/default/files/Normograma/docs/resolucion_minrelaciones_0740_2018.htm.

immigrants ineligible for any regularization pathway. In August 2018, the government launched the **PEP-RAMV**, a dual registration and regularization program to characterize the irregular Venezuelan population in Colombia and grant them the same rights as previous **PEP** holders who did enter the country regularly.¹⁴ With the **PEP-RAMV**, Venezuelans who had entered Colombia before August 2018, regularly or irregularly, became eligible to receive legal status.¹⁵

In addition to **PEP-RAMV**, Colombian authorities issued other **PEP**-related regularization permits for Venezuelans with employment offers (**PEPFF**);¹⁶ Venezuelan military personnel;¹⁷ and Venezuelans whose asylum claims had been rejected or were still being processed (**PECP**).¹⁸ All in all, at least 14 resolutions established **PEPs**, expanded their eligibility criteria, changed their application window, and stipulated new renewal dates.¹⁹ The excessive number of resolutions speaks to the Colombian authorities' failure to provide generous, long-term, and universal regularization programs. It also demonstrates a high degree of framework fragmentation involving the misallocation of financial and human resources; redundancies; and an extremely complicated network of intertwined regularization permits that were hard to follow and sustain for both authorities and applicants.

February
2021

March
2021

4 Temporary Permanence Permit (PEP)

Following the exceptionally patchy regularization pathway that prevailed in Colombia under the **PEP** system, the Colombian authorities launched a new regularization scheme in March 2021 that repealed and replaced all previous status-granting mechanisms. This new program, the *Estatuto Temporal de Protección para Migrantes Venezolanos* (**ETPV**), became Latin America's most ambitious regularization bet.

¹⁴ Ministerio de Relaciones Exteriores, "Resolución 6370 de 2018" (Bogotá, 2018), https://www.cancilleria.gov.co/sites/default/files/Normograma/docs/resolucion_minrelaciones_6370_2018.htm.

¹⁵ Felipe Muñoz, Acoger, integrar y crecer: Las políticas de Colombia frente a la migración proveniente de Venezuela (Gobierno de Colombia: Bogotá, 2020), 63, <https://www.minsalud.gov.co/sites/rid/Lists/BibliotecaDigital/RIDE/INEC/IGUB/politica-migracion-acoger-integracion-crecer.pdf>.

¹⁶ International Labour Organization and United Nations Development Program, Migration from Venezuela: Opportunities for Latin America and the Caribbean (ILO & UNDP: Geneva, 2021), 40, https://www.ilo.org/wcmsp5/groups/public/---americas/---ro-lima/documents/publication/wcms_775183.pdf.

¹⁷ "Presentado el plan para atender a los ex militares venezolanos que están en Colombia," Migra Venezuela online. May 15, 2019. <https://migravenezuela.com/web/articulo/colombia-presento-un-plan-para-los-militares-venezolanos-que-han-desertado/1167>.

¹⁸ Cristina Escobar, Diego Escallón and Laura Rosales, Análisis de la garantía de derechos a la educación, salud e inclusión laboral de la población migrante de Venezuela en Colombia (Danish Refugee Council: Bogotá, 2021), 14, <https://www.r4v.info/es/document/colombia-analisis-de-la-garantia-de-derechos-la-educacion-salud-e-inclusion-laboral-de-la>.

¹⁹ Ministerio de Relaciones Exteriores, "Decreto número 216 de 2021" (Bogotá, 2021), <https://dapre.presidencia.gov.co/normativa/normativa/DECRETO%20216%20DEL%201%20DE%20MARZO%20DE%202021.pdf>.

The **ETPV** grants legal status to all Venezuelans who arrived in Colombia, regularly or irregularly, before 31 January 2021. This is done via the *Permiso por Protección Temporal (PPT)*, which has a 10-year validity and allows Venezuelans to pursue any legal activity, and access any public good or service, as all other Colombian citizens during that period.

The **ETPV** also promotes regular entry by expanding the **PPT** coverage to Venezuelans who go through a migration control post, with a valid passport, up until May 2023.²⁰ With the Venezuelan crisis far from over, it is unrealistic to expect immigration, be it regular or irregular, to cease within the next few years. As such, Venezuelans who have entered irregularly since January 2021, or who will enter regularly or irregularly after May 2023, do not have access to any regularization pathway.

Unlike the **PIPs**, the **PTPs**, and the **PEPs**, the **PPT** does incorporate a pathway towards permanent residency. The PPT will accredit the holders' length of stay in Colombia so they can apply for a residence visa (Visa Tipo R) when their 10-year **PPT** expires in the 2030s.²¹ With a residence visa, Venezuelans would be allowed to remain indefinitely in Colombia.²²

The decree that brought to life the **ETPV** established that the government may extend or terminate the **PPT's** benefits at any time. While the measure aims to maintain the discretionary power of the executive power, it generates a great deal of legal uncertainty.

May
2031

²⁰ Sergio Bueno Aguirre, La inclusión de personas refugiadas y migrantes en la respuesta al COVID-19: Medidas socioeconómicas de Argentina, Brasil, Chile, Colombia, Ecuador, México, Panamá, Perú y República Dominicana (R4V, 2021), 34, <https://www.r4v.info/es/document/la-inclusion-de-personas-refugiadas-y-migrantes-en-la-respuesta-al-covid-19-medida>.

²¹ Sergio Bueno Aguirre, La inclusión de personas refugiadas y migrantes en la respuesta al COVID-19: Medidas socioeconómicas de Argentina, Brasil, Chile, Colombia, Ecuador, México, Panamá, Perú y República Dominicana (R4V, 2021), 34, <https://www.r4v.info/es/document/la-inclusion-de-personas-refugiadas-y-migrantes-en-la-respuesta-al-covid-19-medida>.

²² "R - Por tiempo acumulado de permanencia," Ministerio de Relaciones Exteriores, accessed May 20, 2022, https://www.cancilleria.gov.co/tramites_servicios/visa/r-tiempo-acumulado-permanencia.



Ecuador



502.200 Venezuelans reside in Ecuador (R4V, August 2022)



2 major regularization programs have been implemented since 2015



38% of Venezuelans have been regularized (UNHCR, June 2022)

Context

Among the countries of study, Ecuador has the most advanced migration legal framework.²³ The country's innovative and human rights-based approach to migration governance largely preceded the onset of the Venezuelan crisis, turning Ecuador into a notable exception in Latin America. Colombia and Peru did not have any comparable framework when hundreds of thousands of Venezuelans reached their borders abruptly.

Ecuador's 2008 Constitution and 2017 Human Mobility Law incorporated novelties worth praising in migration governance, such as the principle of universal citizenship and the recognition of the right to free mobility, not to mention the provisions that forbid treating universal citizens as illegal due to their immigration status.²⁴ Both legal instruments were drafted to respond to the inflow of Colombians and Peruvians in the late 1990s and early 2000s.

Ecuador's apparent preparedness to respond to a new migration crisis with comprehensive, effective, and human rights-based policies set its bar much higher than Colombia's and Peru's. Nonetheless, for reasons that lie beyond the scope of this research, Ecuador failed to implement its advanced migration legal framework to respond to the Venezuelan exodus. This, in particular, merits further investigation.

²³ Ministerio de Relaciones Exteriores y Movilidad Humana, "Plan Integral para la Atención y Protección de la Población Venezolana en Movilidad Humana en Ecuador" (Quito, 2021), 12, https://www.cancilleria.gob.ec/wp-content/uploads/2020/09/tenciÓn_y_protecciÓn_de_la_poblaciÓn_venezolana_2020_-_2021-16sept20-final0812999001600384661.pdf.

²⁴ Jaime Esponda, *Constituciones Políticas y Migraciones en América Latina* (IOM: Santiago de Chile, 2021), 25, <https://publications.iom.int/books/cuadernos-migratorios-ndeg-12-constituciones-politicas-y-migraciones-en-america-latina>.

Ad-Hoc Regularization Programs

Ecuador's regularization schemes are unique in that they consisted of stringent visas that only regularized a minority of Venezuelan immigrants and harshly discouraged new influxes. Additionally, Ecuador's first regularization program was rolled out three years after Colombia's and two years after Peru's, turning it into the tardiest and most restrictive scheme among the studied countries.

While regularization pathways mostly overlapped in Colombia and Peru, in Ecuador there was a two-year gap between each of the two programs rolled out. The excessively prolonged gap was particularly concerning because it coincided with the COVID-19 pandemic, thereby increasing the vulnerability of Venezuelans in the country.

July
2019

1 Entry and Permanence Permit (PIP)

In August 2018, the Ecuadorian borders were quickly overwhelmed as the Venezuelan exodus accelerated and hundreds of thousands of immigrants in Colombia began moving south. The government declared a state of emergency to cope with the sudden and vastly underestimated arrival of Venezuelans in Ecuador. The government extended ten times the state of emergency until July 2019, when it announced a **migration amnesty** and a **registration and regularization scheme**.

Despite having a 10-year-old migration-focused constitution and a one-year-old innovative Human Mobility Law, Ecuador, like Colombia and Peru, also had to resort to ad-hoc measures to respond to the Venezuelan migration crisis.

In July 2019, the Ecuadorian authorities granted an **amnesty** to all Venezuelans who had entered the country before that date; had done so regularly via an immigration control post; and were deemed irregular, having overstayed their maximum allowed time in the country.²⁵ As an **amnesty**, the decree eliminated any fines associated with an irregular stay in Ecuador and granted a humanitarian temporary residence visa to eligible Venezuelans.²⁶ That visa became known as the *Visa de Residencia Temporal*

²⁵ Sergio Bueno Aguirre, La inclusión de personas refugiadas y migrantes en la respuesta al COVID-19: Medidas socioeconómicas de Argentina, Brasil, Chile, Colombia, Ecuador, México, Panamá, Perú y República Dominicana (R4V, 2021), 36, <https://www.r4v.info/es/document/la-inclusion-de-personas-refugiadas-y-migrantes-en-la-respuesta-al-covid-19-medida>.

²⁶ Ministerio de Relaciones Exteriores y Movilidad Humana, "Decreto número 826 de 2019" (Quito, 2019), https://www.cancilleria.gob.ec/wp-content/uploads/2019/09/acuerdo_ministerial_103_medidas_migratorias_a_favor_de_ciudadanos_venezolanos0169571001567716139.pdf.

por Excepción por Razones Humanitarias (VERHU). Eligible immigrants had until August 2020 to apply for one.²⁷

Holders of a **VERHU** were allowed to remain in the country for six additional months while they abandoned the country or transitioned to a permanent resident visa.²⁸ The **VERHU**'s extremely short validity deliberately disregarded the intention of most Venezuelans to settle in Ecuador over the medium to long term, a trend that was already evident in Colombia and Peru.

To obtain the **VERHU**, Venezuelans already in Ecuador had to pay a USD 50 fee; present a valid or expired passport within the last five years; and submit an apostilled criminal record from Venezuela.²⁹ While the acceptance of expired passports provided a reasonable accommodation, the visa application fee, as well as the legalized criminal record, were financially inhibiting and administratively burdensome to applicants. In this regard, Ecuador's first regularization program was comparatively less accessible than Colombia's and Peru's, which contradicts Ecuador's seemingly remarkable migration-focused constitution and advanced human mobility governance.

The Ecuadorian authorities simultaneously set the **VERHU** as a prerequisite to set foot in Ecuador. The visa for prospective immigrants had the same requirements as for Venezuelans already in Ecuador, except for the requirement to present a valid passport. Starting July 2019, Venezuelans intending to enter Ecuador only faced higher financial and administrative barriers in what was clearly a deliberate government-driven effort to drastically halt Venezuelan immigration.

Due to its stringent requirements, the **VERHU** did not offer a viable regularization pathway to the most disadvantaged Venezuelans in the country. Proof of the failure of this regularization pathway is that irregularity jumped from 44 percent in 2018 to a worrying 72 percent in 2020.³⁰

August
2020

²⁷ "Ecuador: Proceso de visa humanitaria para venezolanos termina el 13 de agosto," EFE online, July 28, 2020, <https://www.efe.com/efe/america/sociedad/ecuador-proceso-de-visa-humanitaria-para-venezolanos-termina-el-13-agosto/20000013-4307359>.

²⁸ Ministerio de Relaciones Exteriores y Movilidad Humana, "Manual de proceso para el usuario de consulado virtual proceso de aplicación de visas de excepción por razones humanitarias VERHU" (Quito, 2019), <https://www.cancilleria.gob.ec/wp-content/uploads/2019/11/MANUALDEUSUecu.pdf>.

²⁹ Ministerio de Relaciones Exteriores y Movilidad Humana, "Manual de proceso para el usuario de consulado virtual proceso de aplicación de visas de excepción por razones humanitarias VERHU" (Quito, 2019), <https://www.cancilleria.gob.ec/wp-content/uploads/2019/11/MANUALDEUSUecu.pdf>.

³⁰ Diego Chaves-González, Jordi Amaral and María Jesús Mora, The Socioeconomic Integration of Venezuelan Migrants and Refugees (MPI & IOM, 2021), 10, https://www.iom.int/sites/g/files/tmzbd1486/files/press_release/file/mpi-iom_socioeconomic-integration-venezuelans_2021_final.pdf.

2 Exceptional Visa for Venezuelan Citizens (VIRTE)

In early 2021, President-elect Guillermo Lasso expressed his desire to introduce a long-term and generous regularization program following Colombia's lead with the **ETPV**.³¹ A year later, in June 2022, that program became known as the *Visa de Residencia Temporal de Excepción para Ciudadanos Venezolanos (VIRTE)*. While an improvement from the highly inaccessible **VERHU**, Ecuador's latest regularization scheme still falls short of Colombia's, which has become the region's benchmark.

Like the **VERHU**, the **VIRTE** also provides an **amnesty** to irregular Venezuelans who entered Ecuador via an immigration control post, except that the new eligibility cut-off date is June 2022.³² The updated cut-off date allows the Ecuadorian authorities to regularize all the migrants whose legal status turned irregular between July 2019 and June 2022. Unlike the **VERHU**, the **VIRTE** accepts family-wide applications, fostering family reunification.³³ Colombia and Peru still require individual applications, meaning that Ecuador is, at least in this regard, ahead of its Andean neighbours. Additionally, the **VIRTE**, like the **VERHU**, also accepts applications from Venezuelans whose passports are either valid or have expired within the last five years, which is a much-needed accommodation.³⁴

The **VIRTE** visa will be valid for two years and can be renewed for an additional equivalent length. Assuming that all eligible Venezuelans renew their **VIRTE**, they will be permitted to stay for a maximum of four years, which is certainly more generous than the **VERHU**'s six months.³⁵ Compared to Colombia's **ETPV**, however, the **VIRTE** is considerably less generous; it offers six fewer years of regular status and only applies to Venezuelans who entered the country regularly, which is only a minority. As of September 2022, people who entered Ecuador irregularly remain outside the scope of any regularization process.

The **VIRTE**'s application deadline is June 2023, offering relatively enough time for applicants to file their requests. Holders of a **VERHU** visa must transition to the

³¹ "Presidente electo de Ecuador promete regularizar estatus a migrantes venezolanos" Milenio online, April 12, 2021, <https://www.milenio.com/internacional/latinoamerica/quillermo-lasso-promete-regularizar-migrantes-venezolanos-ecuador>.

³² Presidencia de la República, "Decreto Ejecutivo No. 436" (Quito, 2022), https://www.fielweb.com/App_Themes/InformacionInteres/d436.pdf.

³³ Presidencia de la República, "Decreto Ejecutivo No. 436" (Quito, 2022), https://www.fielweb.com/App_Themes/InformacionInteres/d436.pdf.

³⁴ "Ecuador lanza un nuevo proceso de regularización migratoria de venezolanos" Swiss Info online, June 4, 2022, https://www.swissinfo.ch/spa/ecuador-migraci%C3%B3n_ecuador-lanza-un-nuevo-proceso-de-regularizaci%C3%B3n-migratoria-de-venezolanos/47648082.

³⁵ Presidencia de la República, "Decreto Ejecutivo No. 436" (Quito, 2022), https://www.fielweb.com/App_Themes/InformacionInteres/d436.pdf.

VIRTE before that date to maintain their regular status in Ecuador.³⁶ Following the expiry date of the **VIRTE** within two to four years, Venezuelans must apply for another temporary or permanent visa. Those visas are significantly more expensive; require a valid passport; and still need apostilled criminal records for adults or apostilled birth certificates for minors.³⁷ These requirements constitute additional obstacles to Venezuelans regularizing their status over the long term.

Venezuelans currently abroad and looking into migrating to Ecuador must apply to one of the country's regular visas, which are also inaccessible due to their cost and required documentation. Thus, the Ecuadorian authorities continue to pursue policies that deliberately limit future Venezuelan immigration.

³⁶ Presidencia de la República, "Decreto Ejecutivo No. 436" (Quito, 2022), https://www.fielweb.com/App_Themes/InformacionInteres/d436.pdf.

³⁷ Maria Alicia Eguiguren, Etzon Rom and Katy Lema, Barreras para el acceso al Sistema de Protección Social que enfrenta la población migrante y refugiada en Ecuador (ILO: Geneva, 2022), 36, <https://www.r4v.info/es/document/oit-ecuador-barreras-para-el-acceso-al-sistema-de-proteccion-social-que-enfrenta-la>.

Peru



1.220.000 Venezuelans reside in Peru (R4V, August 2022)



2 major regularization programs have been implemented since 2015



50% of Venezuelans have been regularized (UNHCR, June 2022)

Context

Peru hosts the second largest number of Venezuelans worldwide, nearly half of whom are asylum seekers, turning it into the country with the largest share of Venezuelans seeking international protection.³⁸

Since 2017, Peru has experienced its worst political crisis. Until 2022, the country had had six presidents.³⁹ The almost annual changes in administration have resulted in a highly dysfunctional and unpredictable migration policy.

Unfortunately, Peru became the Andean country where xenophobia has materialized the most. The administrations of the last two Peruvian presidents, Pedro Castillo and Martín Vizcarra, have become known for their anti-immigrant rhetoric and the criminalization and expulsion of thousands of Venezuelan immigrants.⁴⁰ Their xenophobic remarks and policies have contributed to the anti-Venezuelan sentiment taking root in the country.

³⁸ Sergio Bueno Aguirre, La inclusión de personas refugiadas y migrantes en la respuesta al COVID-19: Medidas socioeconómicas de Argentina, Brasil, Chile, Colombia, Ecuador, México, Panamá, Perú y República Dominicana (R4V, 2021), 41, <https://www.r4v.info/es/document/la-inclusion-de-personas-refugiadas-y-migrantes-en-la-respuesta-al-covid-19-medidas>

³⁹ “Seis presidentes en cinco años: cronología de una crisis cíclica en el Perú - Parte 2” Agenda Estado de Derecho online, March 4, 2022, <https://agendaestadodederecho.com/seis-presidentes-en-cinco-anos-cronologia-de-una-crisis-ciclica-en-el-peru-parte-2/>.

⁴⁰ “Cerca de mil venezolanos que ingresaron de forma clandestina fueron sacados del país” Ministerio del Interior online, September 25, 2019, <https://www.gob.pe/institucion/mininter/noticias/51863-cerca-de-mil-venezolanos-que-ingresaron-de-forma-clandestina-fueron-sacados-del-pais>.

Compared to Colombia and Ecuador, Venezuelan immigrants in Peru face the most adverse political, economic, and social climate to access regularization programs, particularly so because their presence is unwelcome and is the subject of xenophobic attacks at the highest level of government.

Ad-Hoc Regularization Programs

Peru has devised and implemented two regularization programs, the same number as Ecuador. However, Peru's ad-hoc programs have not served as the single pathway to grant legal status to immigrants since half of Venezuelans in the country are also asylum seekers.

Due to the country's unprecedented political crisis, regularization programs have been suddenly amended or halted to the detriment of its beneficiaries. More concerning, however, has been the growing xenophobic sentiment among the public and policymakers. Peru, like Ecuador, has actively pursued policies to discourage new Venezuelan influxes.

March
2017

1 Temporary Stay Permit (PTP)

In 2017, President Pedro Pablo Kuczynski publicly expressed his support for Venezuelan immigrants and outlined what would become the country's first regularization program as the exodus accelerated.

In March 2017, Kuczynski's administration launched the *Permiso Temporal de Permanencia* (PTP). The PTP granted legal status to Venezuelans who had entered Peru regularly until July 2017.⁴¹ Venezuelans who were in a regular situation, or were in an irregular situation having overstayed their initial time permitted, were eligible.⁴²

The PTP requirements were considerably strict and closely resembled those stipulated by Ecuador's VERHU visa, which was being rolled out in tandem. Applicants over 18 were required to submit a criminal background check from INTERPOL, a document that was only available in Lima and had a turnaround time of

⁴¹ Presidencia de la República, "Decreto Supremo No. 002-2017-IN" (Lima, 2017), <https://www.acnur.org/fileadmin/Documentos/BDL/2017/11018.pdf>.

⁴² Presidencia de la República, "Decreto Supremo No. 023-2017-IN" (Lima, 2017), <https://www.acnur.org/fileadmin/Documentos/BDL/2017/11195.pdf>.

four months.⁴³ Minors had to submit an apostilled birth certificate from Venezuela.⁴⁴ Securing either document was financially difficult, time-consuming, and administratively challenging. Besides the paperwork's associated costs, the application for the **PTP** had an additional price tag. Peruvian authorities charged each applicant approximately USD\$10 that, added to all the other application-related expenses, made the **PTP** unaffordable to the most vulnerable Venezuelans.

In January 2018, in light of the more than eight thousand Venezuelans entering Peru monthly, Peruvian authorities revised the **PTP**'s eligibility.⁴⁵ The updated **PTP** sought to regularize Venezuelans who had entered Peru regularly before December 2018. While the stringent requirements from 2017 remained in place, the application deadline was postponed to June 2019.

With the resignation of president Kuczynski in March 2018 over corruption scandals and the designation of Vizcarra as the new interim president, the **PTP** was suddenly halted. Vizcarra brought forward the **PTP**'s eligibility cut-off date and application deadline to limit a new influx of Venezuelans, citing security and state capacity concerns. With the new modifications, only Venezuelans who had entered Peru regularly before October 2018, and had applied before December 2018, received a **PTP**.

The **PTP** was the first and only regularization program to announce an eligibility cut-off date in advance; Colombia and Ecuador refrained from doing so for fears of prompting more immigration into their national territories as Venezuelans would rush to be eligible. Vizcarra's decision to bring forward key dates was partially motivated by these same fears.

Peru's **PTP** had a one-year validity and could be renewed for an additional year, bringing its maximum validity to two years. While two years was little time for Venezuelans intending to settle in Peru, the regularization program also provided **PTP** holders with the opportunity to apply for a **special resident status** and obtain a *Carné de Extranjería (CE)*, an ID for foreigners. The **CE** granted foreigners access to the same public goods and services as Peruvian citizens, including education, health care, and employment.

Considering that the **CE** had a four-year validity for adults and three-year validity for minors, the **PTP** could eventually grant a six-year legal status to Venezuelan

⁴³ Marta Castro Padrón, ¿Qué medidas se han implementado para la inclusión de personas migrantes venezolanas en Perú? Prácticas y desafíos (Equilibrium CenDE: Lima, 2020), 7, <https://migravenezuela.com/web/articulo/medidas-para-la-inclusion-de-personas-migrantes-venezolanas-en-peru/1813>.

⁴⁴ Presidencia de la República, "Decreto Supremo No. 023-2017-IN" (Lima, 2017), <https://www.acnur.org/fileadmin/Documentos/BDL/2017/11195.pdf>.

⁴⁵ Presidencia de la República, "Decreto Supremo No. 001-2018-IN" (Lima, 2018), <https://busquedas.elperuano.pe/normaslegales/aprueban-lineamientos-para-el-otorgamiento-del-permiso-tempo-decreto-supremo-n-001-2018-in-1609074-1/>.

immigrants.⁴⁶ Following the **CE** expiration, holders could obtain a one-year extension on their **CE** or apply for a permanent resident status directly.⁴⁷ In this way, Peru's first regularization program also provided a pathway toward permanent residency, which neither Colombia nor Ecuador incorporated until their latest schemes.

In addition to reversing Kuczynski's regularization initiative, Vizcarra toughened the entry requirements for Venezuelans. Since August 2018, Venezuelans were only permitted entry with a **passport** (valid, expired, or soon-to-expire).⁴⁸ Then, from June 2019, only **humanitarian visa** holders were allowed into the country.

Peru's post-2018 entry requirements closely resembled those imposed by Ecuador via its **VERHU** and **VIRTE** visas and were also a government-led initiative to halt new Venezuelan immigration. Since the Peruvian **humanitarian visa** implementation, only a handful of Venezuelans have been able to enter regularly.⁴⁹

The decision to abruptly halt the **PTP** and impose stringent entry requirements prompted the irregular entry of migrants, endangered their lives, and left Peru's migration policy devoid of its human rights approach.⁵⁰ All in all, irregularity in Peru, therefore, jumped from 10 to more than 50 percent.⁵¹

January
2019

October
2020

2 Temporary Stay Card (CPP)

Since the measures adopted by the Vizcarra administration resulted in more irregular entries and stays in Peru, the government was forced to launch a second regularization program following the end of the **PTP** in January 2019. The new regularization scheme was only rolled out in late 2020, a semester after the onset of

⁴⁶ Camila Cely and Miguel Urquia, Joint Needs Analysis 2022 - January 2022 (R4V, 2022), 43, https://www.r4v.info/en/document/JNA-RMRP2022_ENG.

⁴⁷ Martha Guerrero Ble, Izza Leghtas, Jimmy Graham, From Displacement to Development: How Peru Can Transform Venezuelan Displacement into Shared Growth (Center for Global Development & Refugees International: Lima, 2020), 16, <https://www.r4v.info/en/document/displacement-development>.

⁴⁸ Superintendencia Nacional de Migraciones Perú, "Resolución de Superintendencia N° 00000177-2019-MIGRACIONES" (Lima, 2019), <https://www.refworld.org/es/type/DECREES,,5d080de24,0.html>

⁴⁹ Sophie Capicchiano Young, Análisis comparativo de ordenamientos jurídicos y buenas prácticas en América Latina y el Caribe (R4V, 2022), 40, <https://www.r4v.info/es/document/programas-de-regularizacion-y-facilidades-administrativas-para-las-personas-refugiadas-y>.

⁵⁰ Marta Castro Padrón, ¿Qué medidas se han implementado para la inclusión de personas migrantes venezolanas en Perú? Prácticas y desafíos (Equilibrium CenDE: Lima, 2020), 7, <https://migravenezuela.com/web/articulo/medidas-para-la-inclusion-de-personas-migrantes-venezolanas-en-peru/1813>.

⁵¹ Diego Chaves-González, Jordi Amaral and María Jesús Mora, The Socioeconomic Integration of Venezuelan Migrants and Refugees (MPI & IOM, 2021), 10, https://www.iom.int/sites/g/files/tmzbdl486/files/press_release/file/mpi-iom_socioeconomic-integration-venezuelans_2021_final.pdf.

the COVID-19 pandemic and nearly two years after the eligibility cut-off date of the preceding scheme.

In October 2020, Peruvian authorities launched the *Carné de Permiso Temporal de Permanencia* (**CPP**). While only Venezuelans who had entered Peru regularly were eligible for the **PTP**, the **CPP** extended the eligibility criteria to also include immigrants who arrived irregularly before October 2020. The **CPP** allows holders to seek formal employment and access public education and health care services.⁵²

The **CPP** was initially valid for one year and could not be renewed, unlike the **PTP**. The Peruvian authorities eventually pushed back the application deadline thrice until July 2022.⁵³ Moreover, they extended the **CPP**'s validity to two years instead of one, thereby matching the **PTP**'s maximum allowed stay.⁵⁴

There are three reasons for concern. Firstly, to apply for the **CPP**, Venezuelans had to present a valid ID, which amid the COVID-19 pandemic, the existing administrative bottlenecks in Venezuela, and the costs associated with obtaining one, is extremely difficult and unaffordable. Secondly, Venezuelans were required to pay all daily fines and immigrations fees incurred as a result of their irregular stay in the country; the total cost was predominantly unaffordable to vulnerable immigrants, who are also the most likely to have entered or stayed unlawfully in Peru. The only accommodation authorities provided was the possibility of paying all debts in a maximum of 12 instalments.⁵⁵ Lastly, the **CPP** cannot be renewed, meaning that all holders must either leave the country or apply for a new visa within two years, a time that is insufficient to settle down and make a living.

July
2022

⁵² "CPP: Carné de Permiso Temporal de Permanencia," UNHCR, accessed June 2, 2022, <https://help.unhcr.org/peru/cpp/>.

⁵³ "Amplían vigencia del Carné de Permiso Temporal de Permanencia - CPP a dos años," Superintendencia Nacional de Migraciones online, July 8, 2022, <https://www.gob.pe/institucion/migraciones/noticias/630370-amplian-vigencia-del-carne-de-permiso-temporal-de-permanencia-cpp-a-dos-anos>.

⁵⁴ Presidencia de la República, "Decreto Supremo No. 008-2022-IN" (Lima, 2022), <https://busquedas.elperuano.pe/normaslegales/decreto-supremo-que-amplia-la-vigencia-del-carne-de-permiso-decreto-supremo-n-008-2022-in-2084469-2/>.

⁵⁵ Presidencia de la República, "Decreto Supremo No. 010-2020-IN" (Lima, 2020), <https://busquedas.elperuano.pe/normaslegales/decreto-supremo-que-aprueba-medidas-especiales-excepcionale-decreto-supremo-n-010-2020-in-1895950-4/>.

Conclusions and Recommendations

Despite being origin countries with mid-sized economies, who were already facing pressing domestic challenges when millions of Venezuelans flooded their borders, Colombia, Ecuador, and Peru have taken significant steps to regularize these migrants. While each country has pursued regularization schemes with varying success, their enormous efforts are worth acknowledging; none of them had ever experienced a migration crisis of this scale and pace.

1 No one thought it would last this long

The Venezuelan exodus started in 2015. Colombia rolled out its first regularization program in 2016, Peru in 2017, and Ecuador in 2019. Due to their close geographical proximity, the three studied countries should have anticipated an influx of Venezuelans and the need to regularize them eventually. Colombia, Ecuador, and Peru failed to plan for a migration crisis preemptively and were forced to react to the sudden and large-scale arrival of immigrants at their borders.

While reacting to the vastly underestimated influx of Venezuelans, Colombian, Ecuadorian, and Peruvian authorities naïvely believed their stay would be temporary. Thus, policymakers across these countries failed to account for the possibility that a significant share of immigrants intended to settle permanently in their national territories.

The failure to anticipate an influx and Venezuelans' intention to settle resulted in patchy, tardy, and insufficient regularization pathways in each country, thereby triggering framework fragmentation.



Following Colombia's lead with the **ETPV** and its 10-year **PPT**, Ecuador and Peru should come to terms with the fact that most Venezuelan immigrants intend to settle in their countries. As such, they should extend the validity of the **VIRTE** and the **CPP** to grant Venezuelans a sufficiently long legal status to integrate into society fully.

2 Framework fragmentation has been costly

Over the last seven years, Colombia implemented four regularization programs while Ecuador and Peru two. For each program, authorities issued dozens of decrees and resolutions amending the eligibility criteria, modifying the application requirements, and altering the application window. The excessive number of regulations demonstrates the authorities' lack of anticipation, planning, and long-term vision to counter the Venezuelan migration crisis in the Andes.

What now amounts to a hundred regulations on migration governance and regularization schemes is a symptom of severe framework fragmentation in Colombia, Ecuador, and Peru. This level of fragmentation has led to the misallocation of fiscal resources and human capital; needless bureaucracy; longer processing times; and a network of intertwined regularization mechanisms that are incredibly difficult to navigate for both bureaucrats and eligible Venezuelans. Additionally, it reflects how authorities have reacted—but not necessarily responded—to the Venezuelan migration crisis.



Colombia, Ecuador, and Peru should simplify their regularization frameworks to ensure they are efficient and accessible. By reversing framework fragmentation, the three studied countries can better allocate fiscal and human resources to strengthen their state capacity and offer universal, generous, and prompt regularization pathways.

3

Regular entry and stay requirements have been unrealistic

Ecuador and Peru have placed the most stringent entry requirements, demanding Venezuelans enter their countries with valid passports and so-called humanitarian visas. Only a fraction of Venezuelans has had the means to secure both documents, forcing the vast majority to immigrate irregularly. Despite being the country next door, Colombia has not imposed such strict entry requirements for Venezuelans.

Eligibility to Colombia's **ETPV**, Ecuador's **VIRTE**, and Peru's **CPP** depend on the entry date of Venezuelans and whether they entered each country regularly. By requiring entry before a specific yet arbitrary date, each country has inevitably excluded large numbers of all subsequent immigrants from the benefits of regularization. Additionally, the prerequisite to having entered a given national territory regularly constitutes an additional barrier, especially considering that governments have deliberately impeded regular entry.



Receiving countries must make consistent advancements to facilitate Venezuelan immigrants' regular entry and stay. They should scrap passport and visa requirements for newcomers to encourage legal entry channels. Similarly, they should make the **ETPV**, the **VIRTE**, and the **CPP** more flexible so any immigrant, irrespective of when they arrived and how they did so, can access long-term legal status.

4

The pathway to permanent residency has been elusive

None of the present-day regularization programs incorporate a guaranteed pathway to permanent residency (PR). While the **ETPV**, the **VIRTE**, and the **CPP** do allow holders to apply for PR and use their time accumulated in the country to fulfill the application requirements, several barriers persist. For instance, PR applications are costly, time-consuming, and administratively difficult to navigate. As such, PR pathways are not entirely

accessible and could leave millions of Venezuelans in a state of legal uncertainty after the expiry of their temporary regularization permit.

Whether it is in Colombia, Ecuador, or Peru, Venezuelans are also vulnerable to the shifting waves of new administrations and xenophobic sentiments that could terminate ad-hoc regularization programs and force millions to return to Venezuela. Peru's political landscape is a preamble of the devastating consequences of this other form of legal uncertainty.



To diminish the legal uncertainty associated with ad-hoc regularization programs, the legislative and judiciary branches of Colombia, Ecuador, and Peru must limit the ability of executive officials to alter the **ETPV**, the **VIRTE**, and the **CPP**. Additionally, regularization programs should directly lead to highly accessible citizenship or permanent residency pathways to reduce the fragility associated with temporary stay permits.

5

Access to public services arrived late and remains limited

Since 2015, regularization programs in Colombia, Ecuador and Peru have expanded to include a wide range of public goods and services to Venezuelan immigrants. Under the current programs, the **ETPV** (2021), the **VIRTE** (2022), and the **CPP** (2020), holders of these permits may access education, health care, and employment in their receiving countries. Access, however, is only guaranteed legally since state capacity constraints prevent it from materializing.



Irregularity is correlated with disproportionately lower living standards. Governments across the three studied countries should actively strive to grant legal status to undocumented immigrants and ensure their access to education, health care, and employment actually materializes.

Word count: 5,058

Appendix I.

Methodology

This study required detailed qualitative research over six weeks. This qualitative research was primarily based on a wide document review of 50 files. These included government decrees, government resolutions, reports published by civil society organizations, academic papers, and studies conducted by international and multilateral organizations. Most documents focused on Colombia, Ecuador, and Peru individually, and only a minority directly compared the three of them.

The document review phase was carried out between May 9 and June 20. During this phase, each country's immigration landscape was researched in depth, with an emphasis on the ad-hoc regularization programs developed and implemented by national authorities. The starting point for the document review were the data portals of the Migration Policy Institute (MPI), the International Organization for Migration (IOM), and the UN High Commissioner for Refugees (UNHCR). Via a handsearch of keywords like 'regularization', 'status-granting', 'entry requirements' and 'permanent residency', close to 150 documents were initially identified. 50 documents were shortlisted based on publication date, relevance, depth, and credibility.

The shortlisted documents were skimmed to pick out the most relevant sections. These sections were then thoroughly read and analyzed. Key insights from each document were included in a rhetorical précis that summarized the main findings from the document review and arranged them by source, date, and country.

The first draft of this study was prepared between June 20 and July 18. The writing process relied heavily on the rhetorical précis. This draft offered an especially detailed account of the origin and evolution of regularization programs in Colombia, Ecuador, and Peru. Following an initial submission for review, a new draft was prepared between July 29 and August 14. The second and last draft condensed down the country-by-country information and further developed the study's comparative analysis and narrative.

For each country, the study offered a brief regional overview and a breakdown of the major regularization programs rolled out. The breakdown is both descriptive and analytical since it details the measures adopted and the rationale behind them. The final chapter, conclusions and recommendations, brings together the main issues with each country's regularization pathways and how they can be improved moving forward.

Appendix II.

Detailed Regularization Programs in Colombia

Policy	Code	Date	Description
Constitution of the Republic of Colombia	N/A	1991	<ul style="list-style-type: none"> • No mention of either the right to emigrate or immigrate. • No mention of asylum or refugee status. • No mention of irregular entry and/or stay. • Established that the children of any Colombian, irrespective of their place of birth, have a right to Colombian citizenship. <ul style="list-style-type: none"> ◦ Relatively effective in preventing statelessness among Colombia returnees. ◦ The identification authority, Registraduría Nacional del Estado Civil, launched an exceptional procedure to facilitate the issuance of birth certificates to individuals born in Venezuela to Colombian parents.
Entry and Permanence Permit (PIP)	Resolución 1220 de Migración Colombia	12/08/2016	<ul style="list-style-type: none"> • Free of charge. • Granted at immigration control posts as a stamp on the passport. • Specified the maximum length of stay allowed in Colombia.
Special Permanence Permit (PEP)	MFA's Resolution No. 5797.	25/07/2017	<ul style="list-style-type: none"> • Free of charge. • Worked on an individual basis. No family applications allowed. • Only Venezuelans who had entered Colombia before July 2017, via a regular post and with a valid passport, were eligible. • Granted up to two (2) years of legal status to Venezuelan immigrants. • Had to be renewed every three months. • Allowed holders to access education, health care, employment, and special services to minors. • Authorities issued nine nine (9) PEPs. • The government extended the application period via Resolutions No. 0740 and 2217 of 2018. • The government set the last deadline extension to apply for a PEP via Resolution No. 0240 of 2020. • Resolution No. 1667 of 2020, issued on 2 July 2020, established a procedure for the two-year renewal of the PEP to all the previous holders who requested it. • The validity extension allowed the legal situation of Venezuelan migrants and refugees to remain stable following the onset of the COVID-19 pandemic and the way migratory services were affected by the health emergency. • There were a total of eight (8) issuance phases and three (3) renewal phases. • PEP permits are set to expire with the entry into force of the ETPV and the PPT.

PEP for Venezuelans with an irregular entry PEP-RAMV	Resolution No. 6370	2018	<ul style="list-style-type: none"> • Application window opened on 1 August 2018 and closed on 21 December 2018. • Worked on an individual basis. No family applications allowed. • Allowed Venezuelans who had not entered through a regular post and/or with a valid passport to access a PEP. • Sought to expand information on the migration status of Venezuelans in Colombia following the increase in irregular entries. • Facilitated the regularization of all Venezuelans irrespective of how they entered the country. • The government extended the deadline to apply to a PEP-RAMV with Resolution No. 10064 of 2018.
Rejected Refugees PEP	Resolution No. 3548	2019	<ul style="list-style-type: none"> • Worked on an individual basis. No family applications allowed. • A special PEP for Venezuelans whose refugee status applications had been rejected in the 4 years prior.
Special Permanence Permit for the Promotion of Formalization (PEPFF)			<ul style="list-style-type: none"> • Worked on an individual basis. No family applications allowed. • Allowed Venezuelans who were 18 or older and had an offer of formal employment to receive a temporary work permit for the length of their contract so they enjoy a legal status while employed. • Venezuelans who had entered Colombia irregularly after June 8, 2018, had no access to regularization processes until the entry into force of the PEPFF on January 28, 2020.
Special and exceptional regime to prevent UASC statelessness	Law 1997	2019	<ul style="list-style-type: none"> • Allowed children of Venezuelan migrants and refugees, born in Colombia, and irrespective of migratory status, to acquire Colombian citizenship. • Covered all infants born in Colombian territory between 1 January 2015 and 16 September 2021.
Special complementary permanence permit for asylum seekers (PECP)	Resolution No. 3548	2019	<ul style="list-style-type: none"> • Granted a regular status to asylum seekers who filed their applications between 19 August 2015 and 31 December 2018 and were subsequently rejected. • Allowed Venezuelans who had not been granted refugee status to still have access to a regularization mechanism up until 1 October 2019.

<p>Temporary Protection Statute for Venezuelan Migrants (ETPV)</p>	<p>Decree No. 216</p>	<p>2021</p>	<ul style="list-style-type: none"> • Venezuelan migrants can pursue any legal activity in the country and enjoy their rights to the fullest provided they entered the country before the end of January 2021. • Only Venezuelans who meet the following requirements are eligible: <ul style="list-style-type: none"> ○ Reside in Colombia, regularly, with a PIP, PTP, PEP, or PEPFF. ○ Reside in Colombia, regularly, with a salvoconducto SC-2 having previously applied for refugee status. ○ Have lived in Colombia, regularly or irregularly, prior to January 31, 2021. ○ Anyone who enters Colombian territory through a regular immigration control post during the first two years of validity of the ETPV (so up until 28 May 2023) • May be valid for up to 10 years. • Incorporates a pathway to permanent residency so beneficiaries can obtain a ‘type R’ visa by accumulating the number of days of regular stay in Colombia. • Those who accept the Statute will obtain a Temporary Protection Permit (PPT). • UASC who cross the border regularly (i.e., through an official checkpoint) can obtain a legal status via the ETPV up until its expiry date in 2031.
<p>Temporary Permanence Permit (PPT)</p>	<p>Decree No. 216</p>	<p>2021</p>	<ul style="list-style-type: none"> • ID created by the ETPV. • Works on an individual basis. No family applications allowed. • In order to access the PTP, prospective beneficiaries of the ETPV must register themselves under the Registro Único de Migrantes, or single registry of migrants, so that the government can characterize the Venezuelan population in the country. • The PPT is a mechanism for status regularization. • Serves as an identification document that authorizes holders to remain in Colombia and carry out any legal activity or occupation in the country. • The transition from PEP to PPT became mandatory with the entry into force of the ETPV. • The PPT will also accredit the length of stay in Colombia so that, if migrants and refugees wish, they can apply for a residence visa when their 10-year PPT expires. • A PEP holder who decides not to apply for the PPT may be: <ul style="list-style-type: none"> ○ Deemed uninterested in remaining in the country. ○ Expelled from the country. ○ Fined for incurring an irregular stay.
<p>Comprehensive Migration Policy</p>	<p>Law 2136</p>	<p>2021</p>	<ul style="list-style-type: none"> • Colombia’s first migration policy. • Promotes orderly and regular migration. • Promotes socioeconomic integration. • Acknowledges the contributions of Venezuelan refugees and migrants in Colombia.

Appendix III.

Detailed Regularization Programs in Ecuador

Policy	Code	Date	Description
Constitution of Ecuador		2008	<ul style="list-style-type: none"> • Explicitly recognizes and protects the rights of all nationals and foreigners, including those with an irregular status. • Explicitly recognizes the right to immigration and emigration. • Establishes the right to asylum and refugee status (Article 41). • Establishes that refugees will enjoy special protection that guarantees the full exercise of their rights. • Upholds the principles of non-refoulement. Similarly, no criminal sanctions are levied on applicants who entered and stayed in Ecuador irregularly. • Stipulates that no sanctions shall be imposed to asylum-seekers entering the country irregularly.
Human Mobility Law		2017	<ul style="list-style-type: none"> • Establishes the rights and obligations of people in human mobility, including the right to work, health, justice, and education, among others. • Allowed citizens of MERCOSUR member states, including Venezuela until 2019, to obtain residence visas for a period of two (2) years, renewable for another two (2) years, for a total of four (4) years.
Admissibility Contingency Plan and the Contingency Plan of the Refugee and Statelessness Commission		2018	<ul style="list-style-type: none"> • Granted 352 temporary resident international protection visas (refugees) and 19,846 temporary visitor international protection visas (applicants). • Starting January 2018, asylum seekers are given an initial screening interview to determine whether they are eligible, typically receiving a decision the same day. <ul style="list-style-type: none"> ○ If denied, they can appeal or apply for a different type of visa. ○ If admitted, they receive a humanitarian visa, which serves as work authorization while they wait for the more in-depth asylum eligibility interview.
Declaration of Migratory Emergency		2018	<ul style="list-style-type: none"> • Issued when the Venezuelan migration flow into the country accelerated. • Enables Ecuadorian authorities to assist Venezuelan citizens entering the country.

<p>Exceptional Visa for Humanitarian Purposes (VERHU)</p>	<p>Executive Decree No. 826.</p>	<p>25/07/2019</p>	<ul style="list-style-type: none"> • Registration and regularization process. • Provided temporary residence permits to Venezuelan migrants who had resided in Ecuador prior to 26 July 2019. • Only immigrants who had entered the country through regular entry points were eligible. • Covered Venezuelan migrants and refugees who had overstayed their maximum stay and were thus deemed irregular. • Via Administrative Resolution No. 0000101, issued on 26 August 2019, the government established the Exception Visa Issuance Center (CEVE) in the Ecuadorian consulates in Bogota, Caracas, and Lima, as well as in border zones. • To obtain the visa, Venezuelans needed a valid passport, or expired within 5 years, and an apostilled criminal record from Venezuela. • Application window was to close down on March 31 2020. <ul style="list-style-type: none"> ○ Due to the declaration of the COVID-19 pandemic, the Executive Decree No. 1020 of 23 March 2020 extended the amnesty period and the regularization process for 60 days. ○ 60 days were to start counting following the end of the declaration of a health emergency in Ecuador. ○ The application process ultimately concluded on 13 August 2020. There would not be a regularization program in place for nearly 2 years.
<p>Suspension of administrative procedures due to COVID-19.</p>	<p>Official Registry 467</p>	<p>19/03/2020</p>	<ul style="list-style-type: none"> • Suspended all administrative procedures under the jurisdiction of the Ministry of Foreign Affairs and Human Mobility during the health emergency of the COVID-19 pandemic.
<p>Exceptional Visa for Venezuelan Citizens (VIRTE)</p>	<p>Executive Decree No. 436</p>	<p>01/06/2022</p>	<ul style="list-style-type: none"> • Provided a new amnesty to Venezuelan migrants and refugees. • The VIRTE will be free of cost and only be valid for Venezuelans whose passports are either valid or have expired within the last five years. Holders of a passport expired in the first semester of 2017 or earlier will be inadmissible. • Includes whole families that had entered Ecuador through an official checkpoint and were in an irregular situation up until 1 June 2022. • Application window is set to end on 1 June 2023. • Will be valid for up to two (2) years, subject to a single two-year renewal. Assuming that all eligible individuals renew their VIRTE, they will enjoy a legal status in the country for a maximum of four (4) years. • Holders of a VERHU visa, the only valid permit for Venezuelans in the country, must transition to the VERTIS before 1 June 2023 to maintain their regular status in Ecuador.

Appendix IV.

Detailed Regularization Programs in Peru

Policy	Code	Date	Description
Refugee Law	Law 27891	2002	<ul style="list-style-type: none"> • No authority can impose sanctions for the irregular entry or stay of persons requesting refugee status. • No person requesting refuge shall be rejected or expelled from Peru. • Refugee status may be extended to the refugee's closest relatives (i.e., spouse, children, and other economically dependent relatives). • Venezuelan applicants arriving at the border have to undergo a pre-application interview to evaluate whether they have an asylum claim based on one of the five grounds outlined in the 1951 Refugee Convention; <ul style="list-style-type: none"> ○ If the interviewer determines that the claim is not valid, the applicant is placed in police custody and returned to Ecuador. • Peruvian authorities prioritized the most vulnerable applicants, including those severely ill; unaccompanied and separated minors; women victims of gender violence; transgender victims; women threatened by their partner or at risk of trafficking. • Interviews to prioritize cases were conducted early in the morning or late at night to not interfere with the applicant's working hours • Applicants receive a special ID, the CE, that must be renewed every two months and grants them the right to work, health care, and education. • A refugee status grants a resident status for one year; <ul style="list-style-type: none"> ○ The refugee status can be extended annually as long as the reasons that motivated said recognition are maintained (i.e., a humanitarian crisis in Venezuela).

<p>Temporary Stay Permit (PTP).</p>	<p>Supreme Decree No. 002-2017-IN</p>	<p>26/07/2017</p>	<ul style="list-style-type: none"> • Approximately USD\$10 (S/41.90) per application. • The initial guidelines were subsequently revised and updated via Supreme Decrees No. 023-2017-IN, 001-2018-IN, and 007-2018-IN. • Venezuelans had to meet the following requirements: <ul style="list-style-type: none"> ○ Had entered Peru regularly before 26 July 2017 ○ Had been in a regular situation but opted to obtain the PTP; or were in an irregular situation having overstayed their initial stay or residence permit. ○ Those over the age of 18 had to submit a police clearance certificate and criminal background check from INTERPOL. ○ Minors had to submit an apostilled birth certificate from Venezuela. • Supreme Decree No. 001-2018-IN, revised the PTP's eligibility. The new criteria established that all Venezuelans who had entered Peruvian territory before 31 December 2018 regularly, and were in either a regular or irregular situation, were eligible. • The application window was prolonged to be 30 June 2019. The last PTP to be issued would expire in the second half of 2020. • PTP holders were not considered residents and could not obtain a CE, just the PTP card. • PTP holders were allowed to apply for another migration status so they could become Peruvian residents.
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Entry Requirements for non-PTP-covered Venezuelans		15/06/2019	<ul style="list-style-type: none"> • Following Venezuela’s suspension from MERCOSUR, Venezuelans intending to enter Peru had to present the following documentation: <ul style="list-style-type: none"> ○ A passport (valid, expired, or soon to expire) a ○ A humanitarian visa issued at a Peruvian consulate in Venezuela, Colombia, or Ecuador. <ul style="list-style-type: none"> ▪ The visa was valid for 183 days and could only be renewed if the circumstances that gave rise to the granting of this humanitarian measure were still present. ▪ It was not possible for Venezuelans to apply for a humanitarian visa at any Peruvian border. ▪ While the visas were free of charge, applicants had to present a passport and a certified criminal record, both of which were notably difficult to obtain and afford. ▪ Once holders of the humanitarian visa entered the country, they were granted the status of humanitarian resident and received the CE. ▪ Venezuelans with a humanitarian visa who were crossing from Ecuador into Peru also needed to prove that they transited through the former regularly. ▪ Since 2019, Venezuelans transiting through Ecuador and applying for a Peruvian humanitarian visa also needed to have an Ecuadorian humanitarian visa (VERHU and now VIRTE). It is also necessary since that year to have entry and exit stamps from Ecuador. ○ Minors, adults, pregnant women, and the elderly, in-transit through Peru and pursuing family reunification, were exempt from these new entry requirements.
Registration of Venezuelan migrants and refugees	Legislative Decree No. 1350	2017	<ul style="list-style-type: none"> • MIGRACIONES empowered border control posts and agents to ensure that any person entering or leaving Peru could be registered.
National Migration Policy (PNM).		2017	<ul style="list-style-type: none"> • During Kuczynski’s presidency, the Peruvian government brought into law the country’s migration policy for the period 2017-2025.

<p>Suspension of administrative deadlines with the onset of COVID-19</p>	<p>Resolution No. 000104-2020</p>	<p>2020</p>	<ul style="list-style-type: none"> • With the onset of the pandemic, Peru declared a national health emergency. The country shut down all its borders. • The Peruvian Migration Authority suspended all administrative deadlines, canceled immigration-related fines, extended the validity of immigration documents, and suspended deadlines for the execution of departure orders. • MIGRACIONES launched the Digital Migration Agency in 2020. With it, the migration authority started making use of technology to expedite the issuance of passports, permits, visas, asylum claims, and foreign ID cards while simultaneously minimizing human-to-human contact and thus the likelihood of a COVID-19 exposure.
<p>Temporary Permit of Permanence Card (CPP)</p>	<p>Supreme Decree No. 010-2020-IN</p>	<p>2020</p>	<ul style="list-style-type: none"> • Approved special, exceptional, and temporary measures to regularize the migration status of foreign nationals on Peruvian territory via Administrative Procedures (TUPA). • Created a new legal framework for regularizing migrants and refugees in vulnerable socioeconomic conditions and on the brink of finding themselves without a status in Peru. • The Superintendence of Migration (SNM) began issuing one-year Temporary Permanence Permit Cards (CPP) to Venezuelans in an irregular situation regardless of how they entered the country, provided that they did so before 22 October 2020. • Venezuelans intending to regularize their situation in Peru had only 180 days since the publication of the Decree to apply for a CPP. • In order to apply for the CPP, Venezuelans must: <ul style="list-style-type: none"> ○ Present a valid ID (i.e., a non-expired passport). ○ Pay all fines and immigrations fees incurred as a result of their irregular status (an amount corresponding to the total number of days they stayed in Peru irregularly); can be paid in a maximum of 12 installments.